

**REGULAR MEETING
COUNCIL OF THE CITY OF MONTGOMERY
JULY 17, 2012 – 5:00 P.M.**

The Council met in regular session on Tuesday, July 17, 2012, at 5:00 p.m., in the Council Auditorium, City Hall, with the following members present:

PRESENT: BOLLINGER, LARKIN, BURKETTE,
CALHOUN, DOW, LEE, PRUITT, JINRIGHT --8
ABSENT: SMITH --1

President Charles Jinright presided as Chairman of the meeting, and Brenda Gale Blalock, City Clerk, served as the Clerk of the meeting. The meeting was opened with the Posting of Colors by the Public Safety Honor Guard and Pledge of Allegiance. The National Anthem was performed by Sgt. Mackie and Officer Montgomery. Prayer for the City was by Communications Chaplain Sandy Stone. Prayer of Rededication of the City Hall Facilities was by Fire Chaplain Walter Woods.

Mayor Strange spoke regarding the Rededication of City Hall. Mrs. Mary Ann Neeley gave a brief history of the City Hall Building. General Services Director Steve Jones reported on future plans for City Hall.

The following former Councillors and City Clerk were recognized in attendance for the Rededication Ceremony: Willie Peak, Joe L. Reed, Herman Harris, Larry Dixon, John Starr, Alice Reynolds, Bud Chambers, Leu Hammonds, Rick McBride, Richard Moncus, Sidney Williams, Ben McNeill, James A. Nuckles, Terance Dawson, Tim Head, Janet May, and John L. Baker.

Councillor Calhoun made a motion to adopt the June 19, 2012, Work Session Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE,	
	CALHOUN, DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

Councillor Calhoun made a motion to adopt the June 19, 2012, Regular Council Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN, DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

Mayor Strange, Police Chief Kevin Murphy and Chief of Staff Brenda Mitchell presented a framed resolution from the City of Montgomery to the Bernard Whitehurst Family.

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. 45-2012

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY,
ALABAMA as follows:

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from R-50

(Single-Family Residential) and FH (Flood Hazard) Zoning Districts to an M-1 (Light Industrial) Zoning District.

Parcel B

A parcel of land lying on the east and north sides of Sanders Lane and on the south and west sides of Hendricks Circle and being a portion of Section 26, T17N, R18E, Montgomery County, Alabama and being more particularly described as follows: Commencing at the northwest corner of SE ¼ of the NE ¼ of said Section 26, said point being a 2" angle iron; thence S88°42'42"W, 338.20 ft. to a point lying on the north ROW of Hendricks Circle; thence along said ROW around a curve to the left with a radius of 106.06 ft., a curve length of 113.90 ft. and having a chord bearing and distance of N72°32'15"W, 108.50 ft.; thence continuing along said ROW S87°06'16"W, 214.71 ft.; S88°27'39"W, 328.01 ft. and S89°21'52"W, 313.79 ft. to a ½" rebar (Cap CA 0537-LS) lying on the east ROW of Sanders Lane; thence S00°32'46"E, 50.00 ft. to a ½" rebar (Cap CA 0537-LS) at the point of intersection of the south ROW of Hendricks Circle and the east ROW of Sanders Lane and being the point of beginning of the parcel of land herein described; thence along the south ROW of Hendricks Circle N89°21'52"E, 314.26 ft.; thence continue along said ROW N88°27'39"E, 328.99 ft. and N87°06'16"E, 220.58 ft.; thence continuing along said ROW around a curve to the right a radius of 56.06 ft., a curve length of 106.29 ft. and having a chord bearing and distance of S52°54'43"E, 91.07 ft.; thence continuing along said ROW S00°57'08"E, 1,194.53 ft. to a ½" rebar (Cap CA 0537-LS) lying on the north ROW of Sanders Lane; thence along the north ROW of Sanders Lane S85°48'25"W, 139.33 ft.; thence continuing along said ROW around a curve to the right with a radius of 364.42 ft., a curve length of 148.09 ft. and having a chord bearing and distance of N81°39'59"W, 147.07 ft.; thence continuing along said ROW around a curve to the left with a radius of 326.08 ft., a curve length of 212.54 ft. and having a chord bearing and distance of S86°55'59"W, 208.80 ft.; thence continuing along said ROW around a curve to the right with a radius of 511.84 ft., a curve length of 133.53 ft. and having a chord bearing and distance of S79°08'28"W, 133.15 ft.; thence continuing along said ROW S85°55'58"W, 88.47 ft.; thence continuing along said ROW S84°32'59"W, 182.79 ft.; thence continuing along said ROW around a curve to the right with a radius of 43.58 ft., a curve length of 83.91 ft. and having a chord bearing and distance of N41°51'06"W, 71.53 ft.; thence continuing along said ROW N01°33'04"W, 221.97 ft.; thence continuing along said ROW N00°03'53"W, 344.27 ft.; thence continuing along said ROW N01°52'11"W, 178.98 ft.; thence continuing along said ROW N00°00'25"E, 301.76 ft.; thence continuing along said right of way N00°42'45"W, 185.77 ft. to the point of beginning. Said parcel containing 26.91 acres more or less.

Parcel C

A parcel of land lying on the east side of Sanders Lane and on the north side of Hendricks Circle and being a portion of the north ½ Section 26, T17N, R18E, Montgomery County, Alabama and being more particularly described as follows: Commencing at the northwest corner of SE ¼ of the NE ¼ of said Section 26, said point being a 2" angle iron and the point of beginning of the parcel herein described; thence S88°44'42"W, 338.20 ft. to a point lying on the north ROW of Hendricks Circle; thence along said ROW around a curve to the left with a radius of 106.06 ft., a curve length of 113.90 ft. and having a chord bearing and distance of N72°32'15"W, 108.50 ft.; thence continuing along said ROW S87°06'16"W, 214.71 ft.; S88°27'39"W, 328.01 ft. and S89°21'52"W, 313.79 ft. to a ½" rebar (Cap CA 0537-LS) lying on the east ROW of Sanders Lane; thence along the east ROW of Sanders Lane N00°09'08"E, 400.98 ft., N02°30'28"W, 205.03 ft. and N02°21'29"W, 15.02 ft. to a ½" rebar (CAP CA 0537-LS); thence leaving said ROW N88°40'54"E, 307.34 ft. to a ¾" open pipe; thence N01°00'47"W, 111.59 ft. to a ¾" open pipe; thence N88°40'31"E, 982.72 ft. to a point; thence S01°23'10"E, 764.22 ft. to the point of beginning. Said parcel containing 21.26 acres more or less.

SECTION 2. Subject to the terms agreed upon in the letter from the Madison Park Neighborhood Association dated May 24, 2012.

SECTION 3. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing the owner. No one was present in opposition to this item.

Councillor Larkin made a motion to sustain the recommendation of the Planning Commission and adopt the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE,	
	CALHOUN, DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. 46-2012

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA as follows:

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from an O-1 (Office) Zoning District to a B-3 (Commercial) Zoning District.

The north ½ of Lot A according to the Plat of the Northeast Church of Christ Plat No. 1, as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 25, at Page 223.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing the owner. No one was present in opposition to this item.

Councillor Calhoun made a motion to sustain the recommendation of the Planning Commission and adopt the foregoing ordinance, which motion carried with the following vote:

AYES:	LARKIN, BURKETTE, CALHOUN,	
	DOW, LEE, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	BOLLINGER	--1
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed ordinance:

ORDINANCE NO. 47-2012

**AN ORDINANCE AUTHORIZING LAND EXCHANGE
AGREEMENT OF REAL PROPERTY BETWEEN
NOBLE INVESTMENTS, LTD and MOORE PROPERTIES, INC. AND
THE CITY OF MONTGOMERY**

WHEREAS, NOBLE INVESTMENTS, LTD. AND MOORE PROPERTIES, INC. (collectively "Moore/Noble"), own real property located on the west side of Morris Street which street runs northerly from Maxwell Blvd. (formerly Bell St.) on the south and the Alabama River on the North, consisting of 4 parcels being Lots 9, 10, 11 and 12 of the Wyman Plat, at Book 1916, Page 724, more particularly described on Attachment A indicated in green; which City of Montgomery desires to acquire for the future development of the Maxwell Boulevard; and to consolidate its real estate holdings west of Morris Street.

WHEREAS, CITY OF MONTGOMERY ("City"), an Alabama Municipal Corporation, owns real property located east of Morris Street lying North of Maxwell Blvd. (formerly Bell St.) and south of Lot 26, Wyman Plat, consisting of 5 parcels being Lots 3, 4, 27, 28, and 32 ("City Property"), more particularly described on Attachment A indicated in red; which Moore/Noble desires to develop its property lying east of Morris Street; and

WHEREAS, City Property is surplus property acquired in connection with the improvement and expansion of Maxwell Boulevard, but no longer needed for public or municipal purposes; and it is in the public's best interest that any right title and interest the city may have in said City Property be transferred and conveyed to Moore/Noble in exchange for the Moore/Noble Property which is needed for the redevelopment of the Maxwell Boulevard area and consolidates its real property holdings lying west of Morris Street; and

WHEREAS, it is in the public's best interest that any right, title and interest the CITY may have in and to the said property be transferred and conveyed to MOORE/NOBLE, for the future development of business and to assist said development; and

WHEREAS, City and Moore/Noble have entered into a Land Exchange Agreement to consummate the land exchange transaction of said real properties dated the 11th day of June, 2012, a copy attached as Attachment B, subject to the approval of the City Council,

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery and Moore/Noble enter into the following Agreement:

- (1) The Council has determined that City Property is surplus property and no longer needed for public or municipal purposes, that the exchange of the properties is for a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities, and is for the purpose of promoting the economic development of the City of Montgomery; and
- (2) The City hereby grants to the Mayor the authority to negotiate, enter into and execute the Land Exchange Agreement attached as Attachment "B" and said Land Exchange Agreement is hereby approved and Todd Strange, as Mayor, is hereby authorized to sign and execute said Land Exchange Agreement and to execute a Statutory Warranty Deed being in the form attached as Attachment "C." The Property is conveyed subject to the following:
 - (a) All (if any) covenants, restrictions, reservations, easements, rights-of-way, agreements and other matters that appear of record in the Office of the Judge of Probate of Montgomery County, Alabama; and
 - (b) By its acceptance of this conveyance, Moore/Noble for itself and its successors and assigns, hereby acknowledges and covenants (i) that Moore/Noble accepts the Property "AS IS" and "WITH ALL FAULTS," and (ii) that Moore/Noble releases and waives any claim against the City relating to the nature and condition of the Property, including, without limitation, the environmental condition thereof.

And to execute any and all other documents and instruments pertaining thereto.

Councillor Burkette made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN, DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN, DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed ordinance:

RESOLUTION NO. 138-2012

WHEREAS, pursuant to ALA. Code §11-42-200 *et seq.* (1975), the City Council may determine that it is in the interest of the public good of the citizens of the City of Montgomery that the corporate limits of the City of Montgomery be reduced and the boundaries thereof reestablished; and

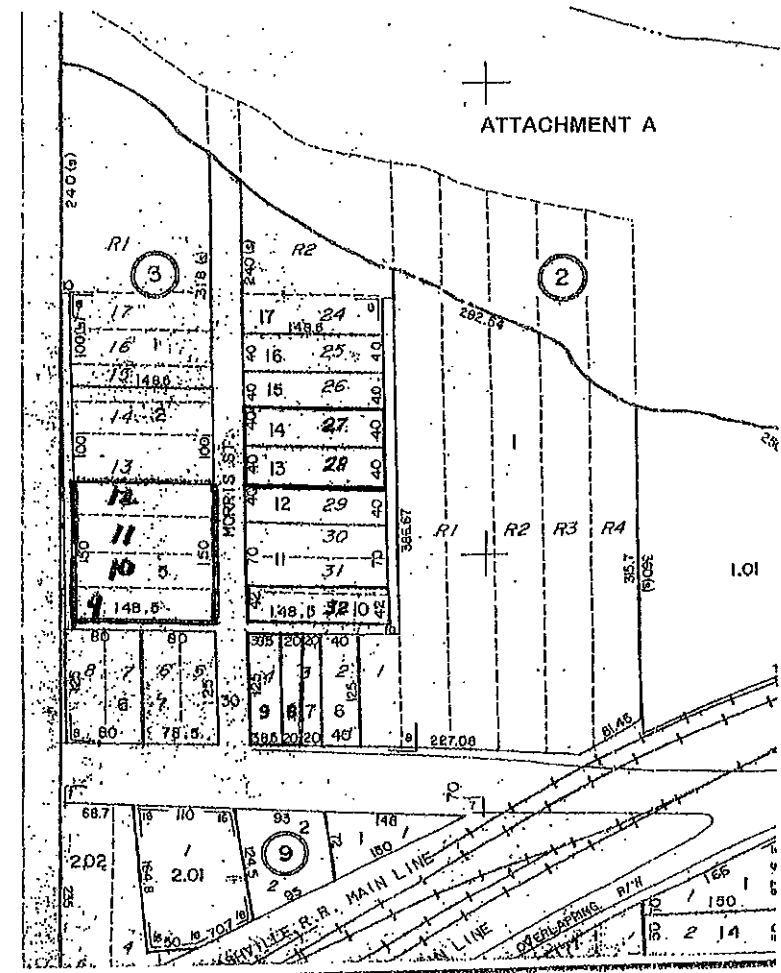
WHEREAS, the City Council desires to deannex certain properties set out in Exhibit A from the corporate limits of City Montgomery and also described by the following; and

- (1) 08-09-32-00-000-010.000
- (2) 08-09-32-00-000-010.001

WHEREAS, the City Council defines the corporate limits of the City of Montgomery be established as set out in the map attached as Exhibit A.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Mayor Strange is authorized to certify a copy of this Resolution with Exhibit A file with the Judge of Probate of Montgomery County, Alabama.

ATTACHMENT A



STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

LAND EXCHANGE AGREEMENT

THIS LAND EXCHANGE AGREEMENT ("Agreement") made and entered into this 12th day of June, 2012, by NOBLE INVESTMENTS, LTD. AND MOORE PROPERTIES, INC. collectively "Moore/Noble", and the CITY OF MONTGOMERY, a Municipal Corporation ("City").

WHEREAS, Moore/Noble and City desire to exchange properties in order that City will own all the properties west side of Morris Street lying from Maxwell Blvd. (formerly Bell St.) on the south and the Alabama River on the North and that Moore/Noble will own properties east of Morris Street lying north of Maxwell Blvd. (formerly Bell St.) and south of Lot 26, Wyman Plat, in the City of Montgomery, Alabama.

NOW THEREFORE, City and Moore/Noble enter into the following Agreement to consummate the land exchange transaction with the understanding that the transaction will be a tax-free exchange of real property:

I. LAND EXCHANGE: City and Moore/Noble hereby agree to exchange the following described parcels located in the City and County of Montgomery, State of Alabama, more particularly described as follows:

A. City owns and agrees to convey to Moore/Noble the following described property:

City Parcel One

Lot 27, Wyman Plat, as said plat appears in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 1 at page 52.

PARCEL #: 03-11-01-12-03-002-014.000

For Ad Valorem Tax purposes only, the address of the above property is: 112 Morris Street, Montgomery, AL

DEED REFERENCE: RLPY 1530 PAGE 643, REPLY 04012 PAGE 0145

City Parcel Two

Lot 28, according to the Mary L. Wyman Plat, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Deed Book 19, at Page 262.

PARCEL #: 03-11-01-12-03-002-013.000

PROPERTY ADDRESS: 104 Morris Street, Montgomery, AL

DEED REFERENCE: RLPY 1872 PAGE 0495, RLPY 04103 PAGE 0405

ATTACHMENT B

Dr. 10/11

City Parcel Three

Lot 32 and ten (10) feet off of the south side of Lot 31, fronting on Foster Avenue (now Davison's Alley) forty feet more or less and running back one hundred forty-eight feet and five inches to a ten (10) foot alley with right of way in said alley. Said lots are numbered according to the Wyman Plat recorded in the book of Deeds No. 19 on Page 262 in the Probate Judge's office of Montgomery County, AL

PARCEL #: 03-11-01-12-03-002-010.000

PROPERTY ADDRESS: Morris Street, Montgomery, AL

DEED REFERENCE: RLPY 04012 PAGE 0147, RLPY 04012 PAGE 0150

City Parcel Four

Lot 3 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Deed Book 19, at Page 262.

PARCEL #: 11-01-12-03-002-007.000

PARCEL #: 11-01-12-03-002-008.000

DEED REFERENCE: RLPY 3734 PAGE 797, RLPY 3734 PAGE 802

City Parcel Five

Lot 4 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Deed Book 19, at Page 262, less and except right-of-way Maxwell Blvd. (formerly Bell St.)

PARCEL #: 11-01-12-03-002-009.000

DEED REFERENCE: RPLY 564 PAGE 215

B. Moore/Noble owns and agrees to convey to City the following described property:

Moore/Noble Parcel One

PARCEL #: 11-01-12-03-003-005.000

DEED REFERENCE: Book 1916 Page 724

Lot 9 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in RLPY 1916 PAGE 724.

Moore/Noble Parcel Two

PARCEL #: 11-01-12-03-003-005.000

DEED REFERENCE: Book 1916 Page 724

Lot 10 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in RLPY 1916 PAGE 724.

Moore/Noble Parcel Three

PARCEL #: 11-01-12-03-003-005.000
DEED REFERENCE: Book 1916 Page 724
Lot 11 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in RLPY 1916 PAGE 724.

Moore/Noble Parcel Four

PARCEL #: 11-01-12-03-003-005.000
DEED REFERENCE: Book 1916 Page 724
Lot 12 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in RLPY 1916 PAGE 724.

2.1 City shall, within thirty (30) days from the date of this contract, provide an abstract of title dating back at least seventy-five (75) years, or provide Moore/Noble a title insurance policy from a reputable title insurance company insuring City demonstrating good and marketable indefeasible title free and clear of all liens and encumbrances, together with an abstract update from the date of the issuance of the title insurance policy demonstrating that such title remains vested in the City as of the date of closing, or provide Moore/Noble a title insurance policy in the amount of the appraised market value, from a reputable title insurance company insuring fee simple good and marketable indefeasible fee simple title free and clear of all liens and encumbrances vested in Moore/Noble. Should City's title insurance or abstract reveal any legal defects in the title, Moore/Noble shall furnish City with a written statement of legal defects and City shall sixty (60) days after the receipt of such objections to satisfy all valid title objections or title policy. *10/11/11 JPM RAB*

2.2 Moore/Noble shall, within thirty (30) days from the date of this contract, provide an abstract of title dating back at least seventy-five (75) years, or provide City a title insurance policy from a reputable title insurance company insuring Moore/Noble demonstrating good and marketable indefeasible title free and clear of all liens and encumbrances, together with an abstract update from the date of the issuance of the title insurance policy demonstrating that such title remains vested in the Moore/Noble as of the date of closing, or provide City a title insurance policy in the amount of the appraised market value, from a reputable title insurance company insuring fee simple good and marketable indefeasible fee simple title free and clear of all liens and encumbrances vested in City. Should Moore/Noble's title insurance or abstract reveal any legal defects in the title, City shall furnish Moore/Noble with a written statement of legal defects and Moore/Noble shall have sixty (60) days after the receipt of such objections to satisfy all valid title objections or title policy. *10/11/11 JPM RAB*

2.3 (a) Upon approval of City's title by Moore/Noble, and Moore/Noble's title by City, the exchange shall be closed within ten (10) days at the office of the attorney for the City in Montgomery, Alabama, at a time and date designated by the City.

Statutory / PM DAN

(b) At closing, Moore/Noble shall deliver to City a Warranty Deed conveying to City a good marketable indefeasible fee simple title in and to the Moore/Noble property, free and clear of all encumbrances, subject only to applicable zoning ordinances and regulations, taxes for the current year not yet due and payable, all existing recorded easements or rights-of-way and the temporary construction easements set forth above, and such other exceptions acceptable to or otherwise waived by City.

(c) At closing City shall deliver to Moore/Noble a Statutory Warranty Deed conveying to Moore/Noble a good marketable indefeasible fee simple title in and to the City property, free and clear of all encumbrances, subject only to applicable zoning ordinances and regulations, taxes for the current year not yet due and payable, all existing recorded easements or rights-of-way and the temporary construction easements set forth above, and such other exceptions acceptable to or otherwise waived by Moore/Noble. The description used in said Statutory Warranty Deed shall include that described in a survey prepared of the property conveyed.

2.4 Each party shall share equally all costs of closing except each party shall bear its own cost of the abstract and title insurance or other title assurance and any title correction, and the ad valorem taxes owed on said property for the year 2012, if any. Possession shall be given to City and to Moore/Noble, respectively, on the date of closing, free and clear of all tenancies and parties in possession. "Good and marketable indefeasible, fee simple title," as used herein shall mean title to which is insurable by a reputable title insurance company at standard rates on the ALTA form then in use in Montgomery County, Alabama.

3. City warrants and represents to Moore/Noble that there are no brokerage fees, commissions, or charges owed in connection with the transactions hereby contemplated. If any other fees, commissions, or charges are owed to any other party, then City will be liable for payment of the same and these fees shall be discharged by City at or before closing.

4. Moore/Noble warrants and represents to City that there are no brokerage fees, commissions, or charges owed in connection with the transactions hereby contemplated. If any other fees, commissions, or charges are owed to any other party, then Moore/Noble will be liable for payment of the same and these fees shall be discharged by Moore/Noble at or before closing.

5. Any notice permitted or required to be given hereunder, shall be made in writing sent to receiving party at the address set forth below by Certified Mail, return receipt requested, and shall be deemed given by either party to the other when the same is deposited in the United States Mail as Certified, return receipt requested with postage prepaid sufficient to deliver to its addressed destination whether or not the receiving party receives the same. The addresses of the parties are as follows:

PARTY: City of Montgomery, Alabama
Walter R. Byars, Chief Legal Counsel
P.O. Box 1111
Montgomery, Alabama 36101-1111

PARTY: Moore Properties, Inc. &
Noble Investments, LTD.
P. O. Box 1454
Montgomery, AL 36102-1454

6. This Agreement constitutes the entire and complete agreement between the parties hereto and supersedes any prior oral or written agreements between the parties with respect to the Moore/Noble and City properties. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions herein set forth, and that no modification of this Agreement and no waiver of any of its terms and conditions shall be effective unless made in writing and duly executed by the parties hereto.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by its officers thereunto duly authorized as of this 11 day of June, 2012.

MOORE PROPERTIES, INC.

By: James T. Moore
As to: Authorized Representative

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James T. Moore, Jr., an officer of Moore/Noble, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, he as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 11 day of June, 2012.

[S E A L]

NOTARY PUBLIC
My commission expires:

NOBLE INVESTMENTS LTD.

By: John B. Noble
As to: Authorized Representative

STATE OF ALABAMA
COUNTY OF MONTGOMERY

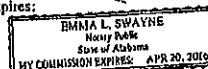
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John B. Noble, Jr., an officer of Moore/Noble whose name is signed to the

foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, he as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 11 day of June, 2012.

[SEAL]

NOTARY PUBLIC
My commission expires:



CITY OF MONTGOMERY

By: Todd Strange
TODD STRANGE
As Its: Mayor

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Todd Strange, Mayor of the City of Montgomery, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, he as such officer and with full authority executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal this the 12th day of June, 2012.

[SEAL]

NOTARY PUBLIC
My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 1, 2015
BORDER THRU NOTARY PUBLIC UNDERWRITERS

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
MONTGOMERY COUNTY)

This Deed made and entered into on this the 17th day of July, 2012, by and between CITY OF MONTGOMERY, an Alabama municipal corporation (hereinafter referred to as "GRANTOR") and NOBLE INVESTMENTS, LTD (an Alabama Limited Partnership), and MOORE PROPERTIES, INC. (an Alabama Corporation), (hereinafter referred to as "GRANTEES"),

WITNESSETH:

WHEREAS the City Council of the City of Montgomery, Alabama, by an ordinance duly, properly and legally made and passed on the 17th day of July, 2012, and entered on its minutes directing the disposal and declaring the hereinafter described real property as surplus and not needed for public or municipal purposes and directing Todd Strange, its Mayor, to make title thereto, which Ordinance has been duly and legally advertised in accordance to the laws and statutes of the State of Alabama, and no objection having been made after publication of said Ordinance, the hereinafter described property located generally near Maxwell Boulevard (formerly Bell St.) and Morris Street in the City of Montgomery, Montgomery County, Alabama, as more specifically delineated in red on Exhibit "A" as Lots 3, 4, 27, 28 & 32 of the Wyman Plat (the "Property") to be conveyed to GRANTEES, by a statutory warranty deed.

WHEREAS, GRANTOR is now desirous of having the title to the hereinafter described real estate conveyed to GRANTEE in accordance with the terms and conditions of the above referred to Ordinance.

NOW, THEREFORE, in consideration the land exchange agreement, the undersigned, City of Montgomery, Alabama, an Alabama municipal corporation, by its Mayor, does hereby grant, bargain, sell and convey unto the said GRANTEES, all of GRANTOR's right, title, interest, and claim in or to the real estate described as Lots 3, 4, 27, 28 & 32 of the Wyman Plat, as delineated below as said plat appears in the Office of the Judge of Probate of Montgomery County, Alabama, and shown in red on Exhibit "A", which is attached hereto, incorporated herein and made a part hereof as though set forth in full herein, together with all of GRANTOR's right, title and interest in and to any and all fixtures and improvements situated thereon and all of GRANTOR's right, title and interest in and to any and all rights, easements, appurtenances and hereditaments thereunto appertaining.

Lot 27, Wyman Plat, as said plat appears in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 1 at page 52.
PARCEL #: 03-11-01-12-03-002-014.000
DEED REFERENCE: RLPY 1530 PAGE 643, REPLY 04012 PAGE 0145

ATTACHMENT C

Lot 28, according to the Mary L. Wyman Plat, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Deed Book 19, at Page 262.
PARCEL #: 03-11-01-12-03-002-013.000
DEED REFERENCE: RLPY 1872 PAGE 0495, RLPY 04103 PAGE 0405

Lot 32 and ten (10) feet off of the south side of Lot 31, fronting on Foster Avenue (now Davison's Alley) forty feet more or less and running back one hundred forty-eight feet and five inches to a ten (10) foot alley with right of way in said alley. Said lots are numbered according to the Wyman Plat recorded in the book of Deeds No. 19 on Page 262 in the Probate Judge's office of Montgomery County, AL
PARCEL #: 03-11-01-12-03-002-010.000
DEED REFERENCE: RLPY 04012 PAGE 0147, RLPY 04012 PAGE 0150

Lot 3 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Deed Book 19, at Page 262.
PARCEL #: 11-01-12-03-002-007.000
PARCEL #: 11-01-12-03-002-008.000
DEED REFERENCE: RLPY 3734 PAGE 797, RLPY 3734 PAGE 802

Lot 4 of the Wyman Plat as it appears as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Deed Book 19, at Page 262, less and except right-of-way Maxwell Blvd. (formerly Bell St.)
PARCEL #: 11-01-12-03-002-009.000
DEED REFERENCE: RPLY 564 PAGE 215

This conveyance is subject to:

(i) all (if any) covenants, restrictions, reservations, easements, rights-of-way, agreements and other matters that appear of record in the Office of the Judge of Probate of Montgomery County, Alabama, and all (if any) encroachments, joint driveways, party walls, easements, rights-of-way or other matters which could be revealed by an accurate survey and physical inspection of said Property; and

(ii) by its acceptance of this conveyance, Grantee, for itself and its successors and assigns, hereby acknowledges and covenants that Grantee accepts the Property "AS IS" and "WITH ALL FAULTS," and that Grantee releases and waives any claim against Grantor relating to the nature and condition of the Property, including, without limitation, the environmental condition thereof.

TO HAVE AND TO HOLD to the said GRANTEE in fee simple and to its successors and assigns forever.

IN WITNESS WHEREOF, the said GRANTOR has caused its name to be affixed hereto by Todd Strange, its Mayor, who is authorized, and has caused the same to be attested by Brenda Gale Blalock, its City Clerk, and its corporate seal affixed on this the 17th day of July, 2012.

CITY OF MONTGOMERY

By: Todd Strange
Name: Todd Strange
Its: Mayor

ATTEST:

By: Brenda Gale Blalock
Name: Brenda Gale Blalock
Its: City Clerk

THE STATE OF ALABAMA }
MONTGOMERY COUNTY }

I, Tracie Davis, a Notary Public in and for said County, in said State, hereby certify that Todd Strange and Brenda Gale Blalock, whose names as Mayor and City Clerk, respectively of the City of Montgomery, Alabama, are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Montgomery, an Alabama municipal corporation.

Given under my hand this the 17th day of July, 2012.

SEAL

Tracie Davis
NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: MAY 1, 2015
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

[illegible]

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated she was in receipt of the following petition:

**PETITION FOR ASSENT TO VACATION OF A PORTION
OF DABNEY AVENUE, MONTGOMERY, ALABAMA**

Come now the undersigned, being all of the owners, tenants, and mortgagees of property which abuts that portion of Dabney Avenue, Montgomery, Alabama, which is to be vacated and respectively petition the City Council of the City of Montgomery to give its assent and approval to the Declaration of Vacation of a portion of Dabney Avenue as more specifically set forth and described in said Declaration which is attached hereto as Exhibit "A" and incorporated herein by reference thereto.

Dated this 9th day of April, 2012.

FEE SIMPLE OWNER:

Lot 23, Block 4, Huntingdon Heights

Glenda Bearden

(L.S.)

Glenda Bearden

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Glenda Bearden, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day same bears date.

Given under my hand and official seal this the 16 day of March, 2012.

[SEAL]

Michelle Cress

Notary Public

My Commission Expires: 6/25/2015

MORTGAGEE:
Lot 23, Block 4 Huntingdon Heights

UNION STATE BANK
an Alabama banking corporation

By: Walter H. Spidle Jr.
Name: WALTER H. SPIDLE JR.
Title: VICE PRESIDENT

STATE OF Alabama)
Jefferson COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Walter H. Spidle Jr., whose name as Vice President of Union State Bank, an Alabama banking corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 6th day of April, 2012.

(SEAL)

Walter H. Spidle Jr.
Notary Public
My Commission Expires: 2/10/2015

PER SIMPLE OWNER:

West 1/2 of Lot 1 Huntingdon Heights, Block 7 and Lot A, according to the replat of the East 1/2 of Lot A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26, and 27 Block 7, and Lots 6, 9, 10, 11, and 12, Block 8, and Lots 1, 2, 3, 4, 5, 6, 7, 8 and part of Lot 9, Block 6 and that part of a vacated street, Huntingdon Heights Subdivision and adjoining property in the east 1/2 of Section 32, Township 6 North Range 18 East, said replat appearing of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 29, at Page 84.

THE HEALTHCARE AUTHORITY
FOR BAPTIST HEALTH,
AN AFFILIATE OF UAB HEALTH SYSTEMS,
An Alabama Healthcare Authority

By: W. Russell Tyner
W. Russell Tyner
Its: President and CEO

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that W. Russell Tyner, whose name as President and CEO of The Healthcare Authority for Baptist Health, an Affiliate of UAB Health Systems, an Alabama Healthcare Authority, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said authority on the day the same bears date.

Given under my hand and official seal, this 12th day of March, 2012.

(SEAL)

W. Russell Tyner
Notary Public
My Commission Expires: 1/1/2015

MORTGAGEE:

West 1/4 of Lot 1 Huntingdon Heights, Block 7 and Lot A, according to the replat of the East 1/4 of Lot A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26, and 27 Block 7, and Lots 8, 9, 10, 11, and 12, Block 6, and Lots 1, 2, 3, 4, 5, 6, 7, 8 and part of Lot 9, Block 6 and that part of a vacated street, Huntingdon Heights Subdivision and adjoining property in the east 1/4 of Section 32, Township 6 North Range 15 East, said replat appearing of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 29, at Page 84.

REGIONS BANK
an Alabama banking corporation, as Master Trustee

By: Kara Lee Farlin
Name: Kara Lee Farlin
Title: Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Kara Lee Farlin, whose name as a Vice President of REGIONS BANK, an Alabama banking corporation, acting in its capacity as "Master Trustee," mortgage and secured party (the "Master Trustee") under that certain Mortgage dated December 1, 2003, executed by The Health Care Authority for Baptist Health, an Affiliate of UAB Health System, in favor of the Master Trustee, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation, acting in its capacity as Master Trustee, on the day the same bears date.

Given under my hand and official seal, this 5th day of April, 2012.

(S&AL)

Leslie Chin
Notary Public
My Commission Expires: OCTOBER 23, 2018

THE SIMPLE AND LEASEHOLD OWNER:
Units A, B, and K
Normandie Medical Building Condominium
Part of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

NORMANDIE PROPERTIES, LLC,
an Alabama limited liability company

By: David C. Marshall
Name: David C. Marshall
Title: President

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that David C. Marshall, whose name as President of NORMANDIE PROPERTIES, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such President, and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and official seal, this 5th day of March, 2012.

(S&AL)

Leslie Chin
Notary Public
My Commission Expires: 10/23/2018

THE SIMPLE OWNER:
Units C, D, E, F, G, and L
Normandy Medical Building Condominium
Part of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

MEDICAL CLINIC BOARD
OF THE CITY OF MONTGOMERY-SOUTHSIDE

By: [Signature]
Name: Lynn Moxley
Res. Member

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Lynn Moxley, whose name as Member of Medical Clinic Board of the City of
Montgomery-Southside, is signed to the foregoing instrument, and who is known to me,
acknowledged before me on this day that, being informed of the contents of the instrument, he,
as such Member and with full authority, executed the same voluntarily for and on the act of said
corporation on the day the same bears date.

Given under my hand and official seal, this 21st day of March, 2012.

(SIAL)

[Signature]
Notary Public
My Commission Expires: 12/18/2013

THE SIMPLE OWNER:
Units C, D, E, F, G, and L
Normandy Medical Building Condominium
Part of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

MEDICAL CLINIC BOARD
OF THE CITY OF MONTGOMERY-SOUTHSIDE

By: [Signature]
Name: Lynn Moxley
Res. Member

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Lynn Moxley, whose name as Member of Medical Clinic Board of the City of
Montgomery-Southside, is signed to the foregoing instrument, and who is known to me,
acknowledged before me on this day that, being informed of the contents of the instrument, he,
as such Member and with full authority, executed the same voluntarily for and on the act of said
corporation on the day the same bears date.

Given under my hand and official seal, this 21st day of March, 2012.

(SIAL)

[Signature]
Notary Public
My Commission Expires: 12/18/2013

NOTICE OF PUBLIC SALE
State of Alabama, County of Montgomery
I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that the within and foregoing instrument, being a deed of gift, was duly executed
by the parties thereto in accordance with the laws of the State of Alabama, and that the
same has been duly recorded in the office of the County Clerk of said County, Alabama,
in Book 12, Page 121, of said County's records.

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that the within and foregoing instrument, being a deed of gift, was duly executed
by the parties thereto in accordance with the laws of the State of Alabama, and that the
same has been duly recorded in the office of the County Clerk of said County, Alabama,
in Book 12, Page 121, of said County's records.

WITNESSES

Given under my hand and official seal, this 12th day of March, 2012.
Notary Public
My Commission Expires 12/18/2012

OFFICIAL CLERK DEARLY
OF THE CITY OF MONTGOMERY, ALABAMA
By: Debra E. Eversight
Notary Public for said City

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that the within and foregoing instrument, being a deed of gift, was duly executed
by the parties thereto in accordance with the laws of the State of Alabama, and that the
same has been duly recorded in the office of the County Clerk of said County, Alabama,
in Book 12, Page 121, of said County's records.

WITNESSES

Given under my hand and official seal, this 12th day of March, 2012.
Notary Public
My Commission Expires 12/18/2012

FREE SIMPLE AND LEASEHOLD OWNER:
Units E and F
Normandy Medical Building Condominium
Part of Lot A, Montgomery Medical Joint Venture,
as said Part appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

BOB & JEAN ADAMS
FAMILY PARTNERSHIP, LTD.

By: Dr. Robert G. Adams
Notary
List

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Robert G. Adams, whose name as Robert Adams of Bob &
Jean Adams Family Partnership, Ltd., on Alabama limited partnership, is signed to the
foregoing instrument, and who is known to me, acknowledged before me on this day that, being
informed of the contents of the instrument, he/she, as such, and with full
authority, executed the same voluntarily for and as the act of said limited partnership on the day
the same bears date.

Given under my hand and official seal, this 27 day of March, 2012.

(SEAL)

Stephanie McClelland
Notary Public
My Commission Expires: 3-02-2015

FREE SIMPLE AND LEASEHOLD OWNER:
Units E and F
Normandy Medical Building Condominium
Part of Lot A, Montgomery Medical Joint Venture,
as said Part appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

William M. Bridger
William M. Bridger

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that
William M. Bridger, whose name is signed to the foregoing instrument and who is known to
me, acknowledged before me on this day that, being informed of the contents of the instrument,
he executed the same voluntarily on the day same bears date.

Given under my hand and official seal this the 26 day of March, 2012.

(SEAL)

Stephanie McClelland
Notary Public
My Commission Expires: 3/2/2015

FREE SIMPLER OWNER,
Unit 3, Normandie Medical Building Condominium
Flat of Lot A, Montgomery Medical Joint Venture,
as said Flat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

P & M REAL ESTATE, LLC,
an Alabama limited liability company

By: David A. Montcal
Name: David A. Montcal
Its: Attorney in Fact

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that David A. Montcal, whose name as Attorney in Fact of P & M
Real Estate, LLC, an Alabama limited liability company, is signed to the foregoing instrument,
and who is known to me, acknowledged before me on this day that being informed of the
contents of the instrument, he, as such Attorney in Fact, and with full authority, executed the
same voluntarily for and as the act of said limited liability company on the day the same bears
date.

Given under my hand and official seal, this 18th day of March, 2012.

(S&A)

Thomas A. Roberts
Notary Public
My Commission Expires: 1/29/2014

JOINDER AND CONSENT

NORMANDIE MEDICAL BUILDING CONDOMINIUM ASSOCIATION, INC.,
an Alabama non-profit corporation, hereby consents to the terms and conditions of this Petition
For Assent to Vacation of a Portion of Debieux Drive, Montgomery, Alabama, to which this
joinder is attached and to the terms, conditions and agreements set forth therein.

NORMANDIE MEDICAL BUILDING
CONDOMINIUM ASSOCIATION, INC.,
an Alabama non-profit corporation

By: Joseph M. Roberts, III
Name: Joseph M. Roberts, III
Its: President

STATE OF ALABAMA
MONTGOMERY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Joseph M. Roberts, III, whose name as President of
NORMANDIE MEDICAL BUILDING CONDOMINIUM ASSOCIATION, INC., an
Alabama non-profit corporation, is signed to the foregoing instrument, and who is known to me,
acknowledged before me on this day that, being informed of the contents of the instrument, he,
as such President, and with full authority, executed the same voluntarily for and as the act
of said corporation on the day the same bears date.

Given under my hand and official seal, this 18th day of March, 2012.

(S&A)

Thomas A. Roberts
Notary Public
My Commission Expires: 1/29/2014

EXHIBIT "A"

STATE OF ALABAMA)
MONTGOMERY COUNTY)

DECLARATION ON VACATION OF
A PORTION OF DUBNEY AVENUE, MONTGOMERY, ALABAMA

Know All Men By These Presents that the undersigned, being all of the owners, tenants, and mortgagees of the real property which abuts a portion of Dubney Avenue, Montgomery, Alabama, and desiring to vacate a portion of the said Dubney Avenue, do hereby declare to be vacated that portion of Dubney Avenue in the City and County of Montgomery, State of Alabama described on Exhibit 1 attached hereto and made a part hereof and shown on Exhibit 2 attached hereto and made a part hereof.

This vacation does not deprive other property owners of such right as they may have to the convenient and reasonable means of ingress and egress to and from their property.

It is hereby acknowledged by all parties concerned that under this vacation the utilities shown on Exhibit 2 will be or are provided for by easement hereby exist and shall continue to exist on the above stated property.

This Declaration is made and executed pursuant to the provisions of § 23-4-20 Code of Alabama 1975.

PER SIMPLE OWNERS:
Lot 13, Block 4, Huntington Heights

Glenda Bearden (L.S.)
Glenda Bearden

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Glenda Bearden, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day above herein date.

Given under my hand and official seal this the 19 day of March, 2012.

[SEAL]

Deborah C. Cook
Notary Public
My Commission Expires 6/23/2015

PROBATE AGENT
Lot 23, Block 4 Emeraldon Heights

UNITED STATES BANK
an Alabama banking corporation

By: John E. Smith
Name: John E. Smith
Title: VICE PRESIDENT

State of Alabama
Jefferson COUNTY

I, the undersigned, a duly qualified Notary Public in and for said State and County, hereby certify that John E. Smith, whose name as John E. Smith of United States Bank, an Alabama banking corporation, is signed to this foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day its name hereon appears.


Given under my hand and official seal, this 22 day of April, 1922.
Notary Public
My Commission Expires 22.12.2012

(CHAL)

FEE SIMPLE OWNER:

West 1/2 of Lot 1 Huntingdon Heights, Block 7 and Lot A, according to the replat of the East 1/2 of Lot A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26, and 27 Block 7, and Lots 8, 9, 10, 11, and 12, Block 5, and Lots 1, 2, 3, 4, 5, 6, 7, 8 and part of Lot 9, Block 6 and that part of a vacated street, Huntingdon Heights Subdivision and adjoining property in the east 1/2 of Section 32, Township 6 North Range 18 East, said replat appearing of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 29, at Page 84.

**THE HEALTHCARE AUTHORITY
FOR BAPTIST HEALTH,
AN AFFILIATE OF UAB HEALTH SYSTEMS,
An Alabama Healthcare Authority**

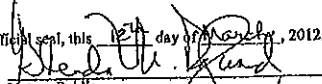
By: 
W. Russell Tyner
His: President and CEO

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that W. Russell Tyner, whose name as President and CEO of The Healthcare Authority for Baptist Health, an Affiliate of UAB Health Systems, an Alabama Healthcare Authority, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said authority on the day the same bears date.

Given under my hand and official seal, this 12th day of March, 2012.

(SEAL)


Notary Public
My Commission Expires: 11/7/2015

MORTGAGEE:

West 1/4 of Lot 1 Huntingdon Heights, Block 7
and Lot A, according to the replat of the East 1/4 of Lot
A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26, and 27 Block 7,
and Lots 8, 9, 10, 11, and 12, Block 5, and Lots 1, 2, 3, 4,
5, 6, 7, 8 and part of Lot 9, Block 6 and that part of a
vacated street, Huntingdon Heights Subdivision and
adjoining property in the east 1/4 of Section 32,
Township 6 North Range 18 East, said replat appearing
of record in the Office of the Judge of Probate of
Montgomery County, Alabama, in Plat Book 29, at
Page 84.

REGIONS BANK

an Alabama banking corporation, as Master Trustee

By: Kara Lee Parlin
Name: Kara Lee Parlin
Title: Vice President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Kara Lee Parlin, whose name as a Vice President of **REGIONS BANK**, an Alabama
banking corporation, acting in its capacity as "master trustee," mortgagee and secured party (the
"Master Trustee") under that certain Mortgage dated December 1, 2003, executed by The Health
Care Authority for Baptist Health, an Affiliate of UAB Health System, in favor of the Master
Trustee, is signed to the foregoing instrument, and who is known to me, acknowledged before
me on this day that, being informed of the contents of the instrument, she, as such officer and
with full authority, executed the same voluntarily for and as the act of said banking corporation,
acting in its capacity as Master Trustee, on the day the same bears date.

Given under my hand and official seal, this 5th day of April, 2012.

(SEAL)

Lisue Chan
Notary Public
My Commission Expires: ANY COMMISSION EXPIRES OCTOBER 23, 2014

FEE SIMPLE AND LEASEHOLD OWNER:

Units A, B, and K
Normandie Medical Building Condominium
Plat of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

NORMANDIE PROPERTIES, LLC,
an Alabama limited liability company

By: David C. Mantel
Name: David C. Mantel
Its: President

STATE OF ALABAMA)

MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that David C. Mantel, whose name as President of Normandie Properties, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such President and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and official seal, this 14th day of March, 2012.

(SEAL)

Clarence A. Lester
Notary Public
My Commission Expires: 1/26/2016

FEE SIMPLE OWNER:
Units C, D, E, I, J, and L
Normandie Medical Building Condominium
Flat of Lot A, Montgomery Medical Joint Venture,
as said Flat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

MEDICAL CLINIC BOARD
OF THE CITY OF MONTGOMERY-SOUTHSIDE

By: [Signature]
Name: Floyd Mozingo
Its: Member

STATE OF ALABAMA)
 :
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Floyd Mozingo, whose name as Member of Medical Clinic Board of the City of
Montgomery-Southside, is signed to the foregoing instrument, and who is known to me,
acknowledged before me on this day that, being informed of the contents of the instrument, he,
as such Member and with full authority, executed the same voluntarily for and as the act of said
corporation on the day the same bears date.

Given under my hand and official seal, this 21st day of March, 2012.

(SEAL)

[Signature]
Notary Public
My Commission Expires: 12/18/2013

FEE SIMPLE AND LEASEHOLD OWNER:
Units E and F
Normandie Medical Building Condominium
Plat of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

BOB & JEAN ADAMS
FAMILY PARTNERSHIP, LTD.

By: Robert B. Adams
Name: _____
Its: _____

STATE OF ALABAMA)
 :
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Robert Adams, whose name as Robert Adams, of Bob &
Jean Adams Family Partnership, Ltd., an Alabama limited partnership, is signed to the
foregoing instrument, and who is known to me, acknowledged before me on this day that, being
informed of the contents of the instrument, he/she, as such _____ and with full
authority, executed the same voluntarily for and as the act of said limited partnership on the day
the same bears date.

Given under my hand and official seal, this 27 day of March, 2012.

(SEAL)

Stephanie McClelland
Notary Public
My Commission Expires: 3-02-2015

FEE SIMPLE AND LEASEHOLD OWNER:
Units E and F
Normande Medical Building Condominium
Plat of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

William M. Bridger
William M. Bridger

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that
William M. Bridger, whose name is signed to the foregoing instrument and who is known to
me, acknowledged before me on this day that, being informed of the contents of the instrument,
he executed the same voluntarily on the day same bears date.

Given under my hand and official seal this the 26 day of March, 2013.

[SEAL]

Stephanie McClelland
Notary Public
My Commission Expires: 3/2/2015

FEE SIMPLE OWNER:
Units G, Normandie Medical Building Condominium
Plat of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

P & M REAL ESTATE, LLC,
an Alabama limited liability company

By: David C. Montiel
Name: David C. Montiel
Its: Managing Member

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that David C. Montiel, whose name as Managing Member of P & M
Real Estate, LLC, an Alabama limited liability company, is signed to the foregoing instrument,
and who is known to me, acknowledged before me on this day that, being informed of the
contents of the instrument, he, as such Managing Member, and with full authority, executed the
same voluntarily for and as the act of said limited liability company on the day the same bears
date.

Given under my hand and official seal, this 14th day of March, 2012.

(SEAL)

Chasman Adkins
Notary Public
My Commission Expires: 1/25/2011

JOINDER AND CONSENT

NORMANDIE MEDICAL BUILDING CONDOMINIUM ASSOCIATION, INC.,
an Alabama non-profit corporation, hereby consents to the terms and conditions of this
Declaration of Vacation of a Portion of Dabney Drive, Montgomery, Alabama, to which this
Joinder is attached and to the terms, conditions and agreements set forth therein.

NORMANDIE MEDICAL BUILDING
CONDOMINIUM ASSOCIATION, INC.,
an Alabama non-profit corporation

By: Joseph M. Bayler, MD
Name: Joseph M. Bayler, MD
Its: President

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that Joseph M. Bayler, MD, whose name as President of
NORMANDIE MEDICAL BUILDING CONDOMINIUM ASSOCIATION, INC., an
Alabama non-profit corporation, is signed to the foregoing instrument, and who is known to me,
acknowledged before me on this day that, being informed of the contents of the instrument, he,
as such President and with full authority, executed the same voluntarily for and as the act
of said corporation on the day the same bears date.

Given under my hand and official seal, this 14th day of March, 2012.

(SEAL)

Channon A. Sexton
Notary Public
My Commission Expires: 1/28/2016

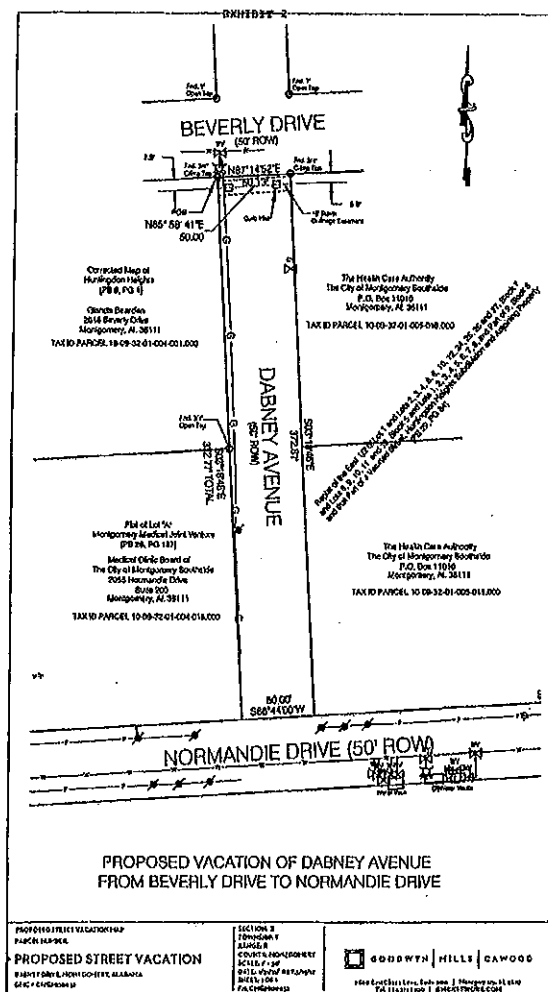
EXHIBIT 1

TRACT DESCRIPTION

Dabney Avenue Right-of-Way Abandonment
Montgomery County, Alabama

BEGIN at a found 3/4" crimp top iron pin lying at the northeast corner of Lot 23, Block 4, according to the Corrected Map of Huntingdon Heights, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 9 at Page 1, said point lying at intersection of the south right of way of Beverly Drive (50' ROW) with the west right of way of Dabney Avenue (50' ROW), said point also being the northeast corner of that certain parcel of land as conveyed to Glenda Bearden and recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in RLPY 254 at Page 837; Thence run N 87°14'52" E, 50.13 feet to found 3/4" crimp top iron pin lying at the northwest corner of Lot 1, Block 7 of said plat, said point lying at the intersection of the south right of way of said Beverly Drive with the east right of way of said Dabney Avenue; Thence run along said east right of way, S 03°18'46" E, 372.81 feet to a point lying at the southwest corner of Lot A, according to the Replat of The east 1/2 of Lot A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26 and 27, Block 7 and Lots 8, 9, 10, 11 and 12, Block 5 and Lots 1, 2, 3, 4, 5, 6, 7, 8, and Part of 9, Block 6 and that part of a Vacated Street, Huntingdon Heights Subdivision and Adjoining Property, as recorded in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 29 at Page 84, said point lying at the intersection of said east right of way of Dabney Avenue and the aforementioned north right of way of Normandie Drive; Thence run S 86°44'00" W, 50.00 feet to a point at the southeast corner of Lot A, according to the Plat of Lot "A" Montgomery Medical Joint Venture, as recorded in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 26 at Page 187, said point also lying at the intersection of the north right of way of Normandie Drive (50' ROW) with the west right of way of Dabney Avenue (50' ROW); Thence run along said west right of way, N 03°18'46" W, 372.77 feet to the Point of Beginning.

Said described property lying and being situated in the Northeast Quarter of Section 32, T-16-N, R-18-E, Montgomery County, Alabama, and contains 0.428 Acres (18640 S.F.), more or less.



STATE OF ALABAMA
MONTGOMERY COUNTY

}
} PERMANENT STORM WATER DRAINAGE
} BASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, I, the undersigned Glenda Bearden (hereinafter Grantor), have this day bargained and sold and by these presents do hereby GRANT, BARGAIN, SELL, and CONVEY, unto The City of Montgomery, Alabama (hereinafter Grantee), its successors and assigns, a permanent easement (as shown on the attached Exhibit "B," which is incorporated herein and made a part hereof by reference) for the purpose of constructing, installing, accessing, and maintaining storm water drainage improvements, facilities, lines, equipment, property and appurtenances in, over, along, under and across the following described property located in Montgomery County, Alabama, to-wit:

See Exhibit A attached hereto and made a part hereof

The above mentioned PERMANENT BASEMENT contains 250 square feet more or less.

To have and to hold the said permanent easement and right-of-way unto the said City of Montgomery, a municipality and unto its successors and assigns forever.

In witness whereof, the Grantor hereunto has set its hands and seal this 15th day of June, 2012.


Glenda Bearden (L.S.)

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Glenda Bearden, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 15 day of June, 2012.

(SEAL)

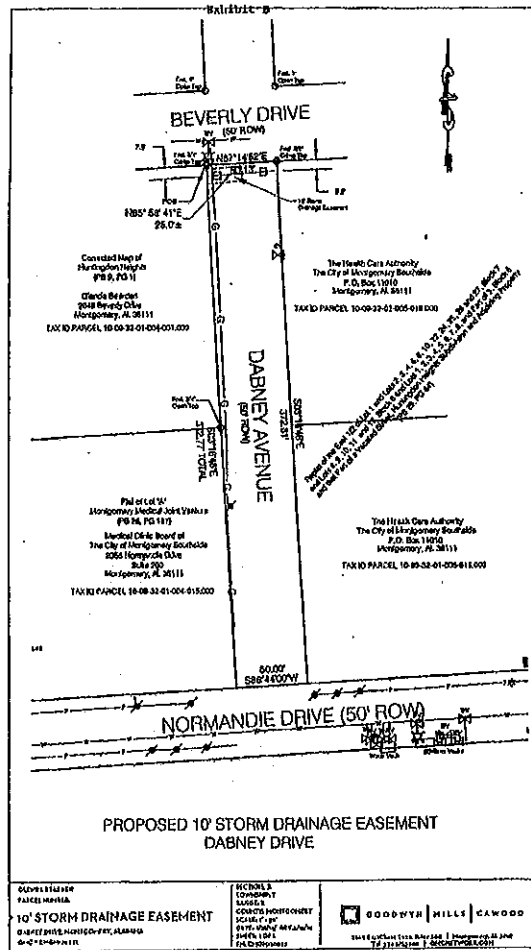
Michelle Cuel
Notary Public
My Commission Expires: 6/25/2015

THIS INSTRUMENT PREPARED BY:
William L. Eskridge, Esq.
Rushon, Stakely, Johnston & Garrett, P.A.
184 Commerce Street (36104)
P. O. Box 270
Montgomery, Alabama 36101-0270
(334) 206-3100
RSIG No. 41-159

Exhibit A

COMMENCE AT AN IRON PIN LYING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF BEVERLY DRIVE (50' ROW) WITH THE WEST RIGHT OF WAY OF DABNEY AVENUE (50' ROW); THENCE RUN ALONG SAID WEST RIGHT OF WAY, S 03°18'46" E, 7.9 FEET TO THE INTERSECTION OF SAID RIGHT OF WAY WITH THE CENTERLINE OF A PROPOSED 10' STORM DRAINAGE EASEMENT, SAID POINT BEING THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, RUN ALONG SAID CENTERLINE, N 85°58'41" E, 25.0 FEET TO A POINT OF INTERSECTION OF SAID CENTERLINE WITH THE CENTERLINE OF DABNEY AVENUE, SAID POINT BEING THE POINT OF ENDING.

SAID EASEMENT LYING 5.0 FEET ON EITHER SIDE OF THE ABOVE DESCRIBED CENTERLINE AND CONTAINS 250 SQUARE FEET, MORE OR LESS.



OWNER'S NAME 10' STORM DRAINAGE EASEMENT DABNEY DRIVE, MONTGOMERY, ALABAMA 10' STORM DRAINAGE EASEMENT	RECORDS 10-00-32-01-004-001.000 10-00-32-01-005-010.000 10-00-32-01-004-015.000 10-00-32-01-005-011.000	GODDARD HILLS CAYWOOD 1015 E. 10th Street, Suite 100, Montgomery, AL 36104 727-212-1212
---	--	--

STATE OF ALABAMA)
MONTGOMERY COUNTY)

PERMANENT STORM WATER DRAINAGE
EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, we, the undersigned The Healthcare Authority for Baptist Health, an Affiliate of UAB-Health Systems, an Alabama Healthcare Authority (hereinafter Grantor), have this day bargained and sold and by these presents do hereby GRANT, BARGAIN, SELL, and CONVEY, unto The City of Montgomery, Alabama (hereinafter Grantee), its successors and assigns, a permanent easement (as shown on the attached Exhibit "B," which is incorporated herein and made a part hereof by reference) for the purpose of constructing, installing, accessing, and maintaining storm water drainage improvements, facilities, lines, equipment, property and appurtenances in, over, along, under and across the following described property located in Montgomery County, Alabama, to-wit:

See Exhibit A attached hereto and made a part hereof

The above mentioned PERMANENT EASEMENT contains ²⁵⁰~~333~~ square feet more or less.

To have and to hold the said permanent easement and right-of-way unto the said City of Montgomery, a municipality and unto its successors and assigns forever.


In witness whereof, the Grantor hereunto has set its hands and seal this 14th day of May, 2012.

THE HEALTHCARE AUTHORITY
FOR BAPTIST HEALTH,
AN AFFILIATE OF UAB HEALTH SYSTEMS,
An Alabama Healthcare Authority

By: 

W. Russell Miller
Its: President and CEO

MEDICAL CLINIC BOARD
OF THE CITY OF MONTGOMERY-SOUTHSIDE

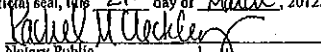
By: 
Name: Donnie Robinson
Its: Member

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Donnie Robinson, whose name as Member of Medical Clinic Board of the City of Montgomery-Southside, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such Member and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 21st day of March, 2012.

(SEAL)


Notary Public
My Commission Expires: 12/18 2013

MEDICAL CLINIC BOARD
OF THE CITY OF MONTGOMERY-SOUTHSIDE

By: *Greg Ergenbright*
Name: Greg Ergenbright
Its: Member

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Greg Ergenbright, whose name as Member of Medical Clinic Board of the City of Montgomery-Southside, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such Member and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

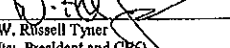
Given under my hand and official seal, this 21st day of March, 2012.

(SEAL)

Raul H. Hinkle
Notary Public
My Commission Expires: 12/18/2013

LEASEHOLD OWNER:
Units C, D, H, I, J, and L
Normandie Medical Building Condominium
Plat of Lot A, Montgomery Medical Joint Venture,
as said Plat appears of record in the Office of the
Judge of Probate of Montgomery County, Alabama,
in Plat Book 26, at Page 184.

THE HEALTHCARE AUTHORITY
FOR BAPTIST HEALTH,
AN AFFILIATE OF UAB HEALTH SYSTEMS,
An Alabama Healthcare Authority

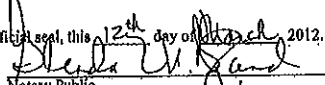
By: 
W. Russell Tyner
Its: President and CEO

STATE OF ALABAMA)
 :
MONTGOMERY COUNTY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby
certify that W. Russell Tyner, whose name as President and CEO of The Healthcare Authority
for Baptist Health, an Affiliate of UAB Health Systems, an Alabama Healthcare Authority, is
signed to the foregoing instrument, and who is known to me, acknowledged before me on this
day that, being informed of the contents of the instrument, he, as such officer and with full
authority, executed the same voluntarily for and as the act of said authority on the day the same
bears date.

Given under my hand and official seal, this 12th day of March, 2012.

(SEAL)


Notary Public
My Commission Expires: 11/3/2015

abutting the hereinafter described street within the City of Montgomery, Alabama, known as Dabney Avenue, which street portion is more particularly described as follows:

BEGIN at a found 3/4" crimp top iron pin lying at the northeast corner of Lot 23, Block 4, according to the Corrected Map of Huntingdon Heights, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 9 at Page 1, said point lying at intersection of the south right of way of Beverly Drive (50' ROW) with the west right of way of Dabney Avenue (50' ROW), said point also being the northeast corner of that certain parcel of land as conveyed to Glenda Bearden and recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in RLPY 254 at Page 837; Thence run N 87°14'52" E, 50.13 feet to found 3/4" crimp top iron pin lying at the northwest corner of Lot 1, Block 7 of said plat; said point lying at the intersection of the south right of way of said Beverly Drive with the east right of way of said Dabney Avenue; Thence run along said east right of way, S 03°18'46" E, 372.81 feet to a point lying at the southwest corner of Lot A, according to the Replat of The east 1/2 of Lot A and Lots 2, 3, 4, 6, 8, 10, 12, 24, 25, 26 and 27, Block 7 and Lots 8, 9, 10, 11 and 12, Block 5 and Lots 1, 2, 3, 4, 5, 6, 7, 8, and Part of 9, Block 6 and that part of a Vacated Street, Huntingdon Heights Subdivision and Adjoining Property, as recorded in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 29 at Page 84, said point lying at the intersection of said east right of way of Dabney Avenue and the aforementioned north right of way of Normandie Drive; Thence run S 86°44'00" W, 50.00 feet to a point at the southeast corner of Lot A, according to the Plat of Lot "A" Montgomery Medical Joint Venture, as recorded in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 26 at Page 187, said point also lying at the intersection of the north right of way of Normandie Drive (50' ROW) with the west right of way of Dabney Avenue (50' ROW); Thence run along said west right of way, N 03°18'46" W, 372.77 feet to the Point of Beginning.

Said described property lying and being situated in the Northeast Quarter of Section 32, T-16-N, R-18-E, Montgomery County, Alabama, and contains 0.428 Acres (18640 S.F.), more or less.

WHEREAS, Glenda Bearden, Union State Bank, The Healthcare Authority for Baptist Health, an Affiliate of UAB Health Systems, Regions Bank, Normandie Properties, LLC, Medical Clinic Board of the City of Montgomery-Southside, Bob & Jean Adams Family Partnership, LTD, William M. Bridger, P & M Real Estate, LLC, Normandie Medical Building Condominium Association, Inc., executed a Declaration of Vacation of the street(s) or the portions of the street(s) described above, as they are recorded in the Office of the Probate Judge of Montgomery County, Alabama in accordance with §35-2-54 of the Alabama Code; and

WHEREAS, Glenda Bearden, Union State Bank, The Healthcare Authority for Baptist Health, an Affiliate of UAB Health Systems, Regions Bank, Normandie Properties, LLC, Medical Clinic Board of the City of Montgomery-Southside, Bob & Jean Adams Family Partnership, LTD, William M. Bridger, P & M Real Estate, LLC, Normandie Medical Building Condominium Association, Inc., petitioned the City of Montgomery for its assent in the vacation of the above described streets, divesting any and all rights which the public may have in and to said street portion, and this body's assent thereto; and

WHEREAS, the City Council of the City of Montgomery, Alabama finds that a convenient and reasonable means of ingress and egress is afforded all property owners of the area in which these street portions are located by the remaining streets and avenues therein located; and

WHEREAS, it is made known to the City Council of the City of Montgomery, Alabama that public utilities most generally affected by closing and vacating said streets, namely (Alabama Power Co., A.T. & T. Cable, BellSouth, Dixie Electric Cooperative, Knology, LightCore, Montgomery Water Works and Sanitary Sewer Board, TW Telecom,

Inc.) have indicated their assent and agreement to the closing and vacation of said street portions by statement expressing such willingness submitted with the Petition for Assent to Vacation; and

NOW THEREFORE, be it resolved by the City Council of the City of Montgomery, Alabama, that the vacation and closing of the said street portions described above, lying and being within the city limits of the City of Montgomery, which is requested in accordance with §§35-2-54 and 35-2-57 of the Alabama Code (1975), is in the public's interest, and is hereby assented to, acquiesced in, and authorized by the City Council of the City of Montgomery, Alabama.

Councillor Burkette made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the Rosa Parks Avenue Branch Library be renamed the Bertha Pleasant Williams Library.

Mr. Richard Williams, son of Ms. Bertha Pleasant Williams, was present representing his late mother. Ms. Ida Jean Watkins was present in support of this item.

Councillor Lee made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

Councillor Lee made a motion to adopt the foregoing resolution.

Councillor Larkin made a motion to amend the foregoing resolution, to change the name to "Bertha Pleasant Williams Library, Rosa Parks Avenue Branch", to read as follows:

RESOLUTION NO. 140-2012

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the Rosa Parks Avenue Branch Library be renamed the Bertha Pleasant Williams Library, Rosa Parks Avenue Branch.

The Chairman called for the vote on the motion to amend the foregoing resolution, to change the name to "Bertha Pleasant Williams Library, Rosa Parks Avenue Branch", which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Chairman called for the vote on the motion to adopt the foregoing resolution, as amended, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 141-2012

WHEREAS, William D. Brown, Jr., d/b/a Bill Brown Agency, has filed an application for a Private Investigator's License; and

WHEREAS, the applicant has posted the required \$25,000 surety bond; and

WHEREAS, the Chief of Police has forwarded this application for the consideration of the Council;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that William D. Brown, Jr., d/b/a Bill Brown Agency, be and is hereby approved for a Private Investigator's License.

Mr. William Brown was present representing this item.

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Calhoun made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 142-2012

WHEREAS, Wayne and Karen LLC, d/b/a Wesleys, 106 Coliseum Boulevard, has filed an application for Lounge Retail Liquor – Class I License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Wayne and Karen LLC, d/b/a Wesleys, 106 Coliseum Boulevard, be and is hereby approved for a Lounge Retail Liquor – Class I License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. Wayne Hudgens was present representing this item. No one was present in opposition to this item.

Councillor Larkin made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Larkin made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 143-2012

WHEREAS, Railyard Brewing Company LLC, d/b/a Railyard Brewing Company, 12 Jefferson Street, has filed an application for a Restaurant Retail Liquor License and a BrewPub License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Railyard Brewing Company LLC, d/b/a Railyard Brewing Company, 12 Jefferson Street, be and is hereby approved for a Restaurant Retail Liquor License and a BrewPub License, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Bob Parker was present representing this item. No one was present in opposition to this item.

Councillor Burkette made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8

NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 144-2012

WHEREAS, TAZ 19 LLC, d/b/a Tazikis Mediterranean Café, 2560 Berryhill Road, Suite A, has filed an application for Retail Beer (On or Off Premises Only) and Retail Table Wine (On or Off Premises Only) License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that TAZ 19 LLC, d/b/a Tazikis Mediterranean Café, 2560 Berryhill Road, Suite A, be and is hereby approved for Retail Beer (On or Off Premises Only) and Retail Table Wine (On or Off Premises Only) License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. Christopher Hines was present representing this item. No one was present in opposition to this item.

Councillor Burkette made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 145-2012

WHEREAS, Goodlife Entertainment Inc., d/b/a Goodfellas Cigars, 8860 Minnie Brown Road, has filed an application for a Lounge Retail Liquor – Class I License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Goodlife Entertainment Inc., d/b/a Goodfellas Cigars, 8860 Minnie Brown Road, be and is hereby approved for a Lounge Retail Liquor – Class I License and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. David McLeod and Mr. Richard Martin were present representing this item. No one was present in opposition to this item.

Councillor Burkette made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. _____

WHEREAS, Los Cabos Inc., d/b/a Los Cabos, 1801 Eastern Boulevard, has filed an application for a Restaurant Retail Liquor License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Los Cabos Inc., d/b/a Los Cabos, 1801 Eastern Boulevard, be and is hereby approved for a Restaurant Retail Liquor License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

No one was present representing this item. No one was present in opposition to this item.

It was the consensus of the Council that this item be carried over to the next regular council meeting.

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 146-2012

A RESOLUTION DENYING AND/OR REVOKING RIGHT TO OPERATE
BUSINESS FOR FAILURE TO PURCHASE BUSINESS LICENSES

WHEREAS, the City Council of the City of Montgomery has authorized and approved the issuance of business licenses and collection of taxes for businesses in the City of Montgomery and police jurisdiction; and

WHEREAS, Charlie Jackson, d/b/a Suave House Barber & Style, 1158 Ann Street, Montgomery, AL 36107, has been advised they are in violation of the Montgomery City Code of Ordinances for failure to purchase business licenses for the years 2008, 2009, 2010, 2011 and 2012; and

WHEREAS, Charlie Jackson, d/b/a Suave House Barber & Style, 1158 Ann Street, Montgomery, AL 36107 continues to operate the business without purchase of a business license or otherwise complying with Chapter 16 of the City of Montgomery Code of Ordinances; and

WHEREAS, the City Council desires to deny and/or revoke Charlie Jackson, d/b/a Suave House Barber & Style, 1158 Ann Street, Montgomery, AL 36107, the right to operate a business within the City of Montgomery.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that, the City Council of the City of Montgomery denies and/or revokes Charlie Jackson, d/b/a Suave House Barber & Style, 1158 Ann Street, Montgomery, AL 36107, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business.

Councillor Bollinger made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, FRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Bollinger made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, FRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 147-2012

A RESOLUTION REVOKING BUSINESS LICENSES FOR FAILURE TO PAY LODGING TAXES

WHEREAS, the City Council of the City of Montgomery has authorized and approved the collection of taxes for businesses in the City of Montgomery and police jurisdiction; and

WHEREAS, Sang Bae Kim & Ki Chon Choi, a/k/a Grace Kay, Inc., d/b/a Arlington Lodge, 5175 Carmichael Road, Montgomery, AL 36116, has been advised they are in violation of the Montgomery City Code of Ordinances for failure to pay lodging taxes and have failed to remit same; and

WHEREAS, the City Council desires to revoke the business license of the business identified above and more specifically set forth in Exhibit A, which procedures requires the Council to adopt a resolution of revocation and schedule a show cause hearing why this business should not be revoked prior to finalization of revocation as set forth in Section 16-36 of the Montgomery City Code of Ordinances:



City of Montgomery, Alabama

Eloy Faulkner
Finance Director

Todd Strange
Mayor

Montgomery City Council Members
Charles W. Wright - President Donnie Calhoun Bill Fyfe, Jr.
Trey Larkin - Treasurer Joe Dow Chuck Smith
David Burkette Jack Lee Richard Bollinger

MEMORANDUM

TO: MAYOR TODD STRANGE

THROUGH: BRENDA BLALOCK
CITY CLERK

FROM: *E. Lloyd Faulkner*
E. LLOYD FAULKNER
FINANCE DIRECTOR

DATE: JULY 12, 2012

RE: REQUEST TO REVOKE BUSINESS LICENSE
ACCOUNT #7010140

I am hereby requesting that you ask the City Council to revoke any license under which the following business is operating in the City of Montgomery, to order the owner to appear before the City Council to "Show Cause" why the license should not be revoked and the business closed by the City of Montgomery by and through the Finance Department. In addition, I request that the owner/proprietor of the business appear before the City Council prior to him/her being awarded any future business license.

NAME OF BUSINESS: GRACE KAY, INC. D/B/A ARLINGTON LODGE

NAMES OF OWNERS: SANG BAE KIM
KI CHON CHOI

ADDRESS: 5175 CARMICHAEL ROAD
MONTGOMERY, AL 36116

It is estimated that the business owes a total of \$[REDACTED] for lodging tax to the City of Montgomery.

Please let me know if you need any further information.

P. O. Box 1111 • Montgomery, Alabama 36101-1111 • Phone (334) 625-2036 • Fax (334) 625-2994

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	--8
	DOW, LEE, PRUITT, JINRIGHT	
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Calhoun made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	--8
	DOW, LEE, PRUITT, JINRIGHT	
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 148-2012


A RESOLUTION REVOKING BUSINESS LICENSES FOR FAILURE TO PAY LODGING TAXES

WHEREAS, the City Council of the City of Montgomery has authorized and approved the collection of taxes for businesses in the City of Montgomery and police jurisdiction; and

WHEREAS, Dipak Patel & Jyotsna Patel, a/k/a SHITAL, LLC, d/b/a, Rodeway Inn, 1288 South Boulevard West, Montgomery, AL 36108, has been advised they are in violation of the Montgomery City Code of Ordinances for failure to pay lodging taxes and have failed to remit same; and

WHEREAS, the City Council desires to revoke the business license of the business identified above and more specifically set forth in Exhibit A, which procedures requires the Council to adopt a resolution of revocation and schedule a show cause hearing why this business should not be revoked prior to finalization of revocation as set forth in Section 16-36 of the Montgomery City Code of Ordinances:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that, the Director of Finance is hereby instructed to revoke the Business License of Dipak Patel & Jyotsna Patel, a/k/a SHITAL, LLC, db/a Rodeway Inn, located at 1288 South Boulevard West, Montgomery, Alabama 36108, more specifically identified in Exhibit A, and City Clerk is instructed to schedule a show cause hearing and notify licensee.

	City of Montgomery, Alabama	<small>Montgomery City Council Members Charles W. Wright - President Troy Lusk - President David Burkette Councillor Calhoun Joe Dow Arsh Lee Dana Pruitt, Jr. Chad Smith Richard Bollinger</small>
<small>Lloyd Faulkner Finance Director</small>	<small>Todd Strange Mayor</small>	
MEMORANDUM		
TO: MAYOR TODD STRANGE		
THROUGH: BRENDA BLALOCK CITY CLERK		
FROM: E. LLOYD FAULKNER FINANCE DIRECTOR		
DATE: JULY 12, 2012		
RE: REQUEST TO REVOKE BUSINESS LICENSE ACCOUNT #9342183		
<p>I am hereby requesting that you ask the City Council to revoke any license under which the following business is operating in the City of Montgomery, to order the owner to appear before the City Council to "Show Cause" why the licenses should not be revoked and the business closed by the City of Montgomery by and through the Finance Department. In addition, I request that the owner/proprietor of the business appear before the City Council prior to him/her being awarded any future business license.</p>		
NAME OF BUSINESS: SHITAL, LLC D/B/A RODEWAY INN		
NAMES OF OWNERS: DIPAK PATEL JYOTSNA PATEL		
ADDRESS: 1288 SOUTH BLVD. WEST MONTGOMERY, AL 36108		
<p>It is estimated that the business owes a total of \$[REDACTED] for lodging tax to the City of Montgomery.</p>		
<p>Please let me know if you need any further information.</p>		

P. O. Box 1111 • Montgomery, Alabama 36101-1111 • Phone (205) 625-2036 • Fax (205) 625-2994

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Calhoun made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	--8
	DOW, LEE, PRUITT, JINRIGHT	
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 149-2012


**A RESOLUTION REVOKING BUSINESS LICENSES
FOR FAILURE TO PAY LODGING TAXES**

WHEREAS, the City Council of the City of Montgomery has authorized and approved the collection of taxes for businesses in the City of Montgomery and police jurisdiction; and

WHEREAS, Dipak Patel & Jyotsna Patel, a/k/a SHITAL, LLC, d/b/a, Peddlers Inn, 4231 Mobile Highway, Montgomery, AL 36108, has been advised they are in violation of the Montgomery City Code of Ordinances for failure to pay lodging taxes and have failed to remit same; and

WHEREAS, the City Council desires to revoke the business license of the business identified above and more specifically set forth in Exhibit A, which procedures requires the Council to adopt a resolution of revocation and schedule a show cause hearing why this business should not be revoked prior to finalization of revocation as set forth in Section 16-36 of the Montgomery City Code of Ordinances:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that, the Director of Finance is hereby instructed to revoke the Business License of Dipak Patel & Jyotsna Patel, a/k/a SHITAL, LLC, db/a Peddlers Inn, located at 4231 Mobile Highway, Montgomery, Alabama 36108, more specifically identified in Exhibit A, and City Clerk is instructed to schedule a show cause hearing and notify licensee.

 <p>City of Montgomery, Alabama</p>	
<p><i>Lloyd Faulkner</i> Finance Director</p>	<p><i>Todd Strange</i> Mayor</p>
<p>MEMORANDUM</p>	
TO:	MAYOR TODD STRANGE
THROUGH:	BRENDA BLALOCK CITY CLERK
FROM:	<i>Lloyd Faulkner</i> LLOYD FAULKNER FINANCE DIRECTOR
DATE:	JULY 12, 2012
RE:	REQUEST TO REVOKE BUSINESS LICENSE ACCOUNT #7010103
<p>I am hereby requesting that you ask the City Council to revoke any license under which the following business is operating in the City of Montgomery, to order the owner to appear before the City Council to "Show Cause" why the license should not be revoked and the business closed by the City of Montgomery by and through the Finance Department. In addition, I request that the owner/proprietor of the business appear before the City Council prior to him/her being awarded any future business license.</p>	
NAME OF BUSINESS:	SHITAL, LLC D/B/A PEDDLERS INN
NAMES OF OWNERS:	DIPAK PATIL JYOTSNA PATIL
ADDRESS:	4231 MOBILE HIGHWAY MONTGOMERY, AL 36108
<p>It is estimated that the business owes a total of \$_____ for lodging tax to the City of Montgomery.</p> <p>Please let me know if you need any further information.</p>	

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Calhoun made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 150-2012

WHEREAS, Phillip Taunton's term on the Lincoln Cemetery Rehabilitation Authority will expire August 17, 2012; and

WHEREAS, it has been requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Phillip Taunton be and is hereby reappointed to the Lincoln Cemetery Rehabilitation Authority for a three-year term, with term ending August 17, 2015.

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 151-2012

WHEREAS, Darry Johnston's term on the Lincoln Cemetery Rehabilitation Authority will expire August 17, 2012; and

WHEREAS, it has been requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Darry Johnston be and is hereby reappointed to the Lincoln Cemetery Rehabilitation Authority for a three-year term, with term ending August 17, 2015.

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 152-2012

WHEREAS, Donald Bell's term on the Lincoln Cemetery Rehabilitation Authority expired August 17, 2011; and

WHEREAS, it has been requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Donald Bell be and is hereby reappointed to the Lincoln Cemetery Rehabilitation Authority for a three-year term, with term ending August 17, 2014.

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 134 Jeff Davis Avenue.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 134 Jeff Davis Avenue, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 404 Kahn Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 404 Kahn Street, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 335 Meehan Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 335 Meehan Street, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 633 Pleasant Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 663 Pleasant Street, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 717 Stephens Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 717 Stephens Street, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 622 Underwood Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 622 Underwood Street, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 738 Woodrow Avenue.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 738 Woodrow Avenue, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 153-2012

WHEREAS, pursuant to the provisions of Ordinance No. 34-2009, certain contractors, companies, enterprises or individuals are to be designated Registered Nuisance Abatement Agents to abate noxious and dangerous weeds which have been designated as nuisances upon private property when awarded a contract for specific parcel of property which has been previously approved by resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the following contractors, companies, enterprises or individuals listed below are hereby designated Registered Nuisance Abatement Agents:

Lapawan Carter
d/b/a J and S Lawn Care
445 Empire Terrace
Montgomery, AL 36110
334-306-0336
Business License No. 13085

Marcus McQueen
d/b/a Elite & Company LLC
420 Park Lake Drive
Montgomery, AL 36117
334-294-6326
Business License No. 13336

Arthur Orum, Jr.
d/b/a A and C Lawn Service
347 Daman Drive
Montgomery, AL 36108
334-233-9184
Business License No. 12968

Phillip Howard III
d/b/a PH Lawn Service
311 Truett Drive
Montgomery, AL 36105
334-301-6580
Business License No. 13515

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 154-2012

WHEREAS, the Council of the City of Montgomery, Alabama ordered that the listed parcels of property in Exhibit "A" attached hereto be abated of the public nuisances described therein; and

WHEREAS, pursuant to Section 11-53B-1, et. seq. Code of Alabama, 1975, the Housing Code Division of the City of Montgomery is presenting to the City Council the cost of abating said unsafe structures in Exhibit "A" attached hereto:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the amount set opposite each described parcel of land contained in Exhibit "A" attached hereto shall constitute special assessments against such parcels of land and these assessments are hereby confirmed and shall constitute a lien on and against each respective parcel of land for the cost of removing the described unsafe structure. It is directed that a copy of the resolution be delivered to the Revenue Commissioner's Records, County of Montgomery. Said lien shall be superior to all other liens on said property except liens for taxes, and shall continue in force until paid.

LEFT BLANK INTENTIONALLY

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 155-2012

WHEREAS, it has been determined that an accumulation of Dangerous Nuisances exist on the properties described in Exhibit "A" attached hereto; and

WHEREAS, the owners of the described parcels of property have been identified utilizing the Revenue Commissioner's Records in the Montgomery County Court House as those persons listed in Exhibit "A" attached hereto; and

WHEREAS, the described parcels of property are all within the corporate limits of the City of Montgomery.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that pursuant to the provisions of Municipal Ordinance No. 34-2009, the nuisances on the properties described in Exhibit "A" are declared to be public nuisances, ordered to be immediately abated, and authorizing the assessment of the cost of the abatement of the nuisances.

LEFT BLANK INTENTIONALLY

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 156-2012

WHEREAS, It has been determined that an accumulation of Dangerous Nuisances exist on the properties described in Exhibit "A" attached hereto; and

WHEREAS, the owners of the described parcels of property have been identified utilizing the Revenue Commissioner's Records in the Montgomery County Court House as those persons listed in Exhibit "A" attached hereto; and

WHEREAS, the described parcels of property are all within the corporate limits of the City of Montgomery.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that pursuant to the provisions of Municipal Ordinance No. 34-2009, the nuisances on the properties described in Exhibit "A" are declared to be public nuisances, ordered to be immediately abated, and authorizing the assessment of the cost of the abatement of the nuisances.

LEFT BLANK INTENTIONALLY

Councillor Calhoun made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The rules having been suspended, Councillor Burkette made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated she was in receipt of the following requests for authorization of payment from the Mayor/Council Discretionary Account, having been approved by Mayor Strange:

MEMORANDUM

TO: Mayor Todd Strange

FROM: Brenda Gale Blalock *BGB*
City Clerk

DATE: July 12, 2012

RE: District 2-- request for Mayor/Council Contingency Funds

Councillor Smith is requesting the following be presented to Council for their authorization:

1. \$300.00 to Montgomery Junior Miss, Attn: Janet Coggins, P.O. Box 242235, Montgomery, AL 36124 for a luncheon.



MEMORANDUM

TO: Brenda Blalock, CITY Clerk
FROM: Tracy Larkin, 3rd District Councilor
RE: Contingency Funds
DATE: July 17, 2012

Please facilitate the conveyance of contingency funds to the specified entities listed.

White House Association of Alabama..... \$300.00

ATTN: Anne Tidmore

Purpose: Program Needs

George Washington Carver Cheerleader Squad.....\$200.00

ATTN: Taka'yla Henderson

Purpose: extracurricular activities

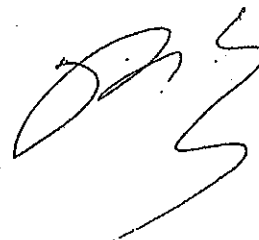
Brookview Neighborhood Association..... \$300.00

ATTN: Maxine Crawford

Purpose: Neighborhood activities

Sheridan Heights Neighborhood Association.....\$300.00

GRAND TOTAL.....\$1100.00

A handwritten signature in black ink, appearing to be 'Tracy Larkin', is located in the lower right quadrant of the page.

MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: July 16, 2012
RE: District 6 - request for Mayor/Council Contingency Funds

Councillor Dow is requesting the following be presented to Council for their authorization;

1. \$230.00 to Willie Cook Community Center to reimburse for field dedication for Sonny Smith.
- ms*

MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: July 11, 2012
RE: District 7 - request for Mayor/Council Contingency Funds

Councillor Lee is requesting the following be presented to Council for their authorization:

1. \$200.00 to Graetz Neighborhood Association for National Night Out.
- ms*

MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: July 16, 2012
RE: District 7 - request for Mayor/Council Contingency Funds

Councillor Lee is requesting the following be presented to Council for their authorization:

1. \$250.00 to Southern Youth Leadership Development Institute for summer youth camp.
- ms*

Dist 1, ²~~2~~, 3, 5, 6, 7, 8, 9

\$50.80 to Sag No
to purchase T-shirts

Councillor Calhoun made a motion to authorize the payment of the foregoing requests for Mayor/Council Discretionary Funds with additions as indicated, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, BURKETTE, CALHOUN	
	DOW, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	SMITH	--1

The Clerk stated she was in receipt of the following Legal Notice to be advertised in the Montgomery Independent on July 19 & 24, 2012, for public hearing before the Council on August 7, 2012:

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at the Council Chamber, the regular meeting place of said Council, on Tuesday, August 7, 2012, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

BRENDA GALE BLALOCK
CITY CLERK

ORDINANCE NO. _____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA as follows:

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from an R-65-d (Residential Duplex) Zoning District to a B-2 (Commercial) Zoning District.

Lot 10, in Block L, according to the Plat of Southern Meadows, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 10, at Page 44.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

The Clerk stated she was in receipt of the following Legal Notice to be advertised in the Montgomery Advertiser July 21 & 28, 2012, for public hearing before the Council on August 7, 2012:

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at the Council Chamber, the regular meeting place of said Council, on Tuesday, August 7, 2012, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

BRENDA GALE BLALOCK
CITY CLERK

ORDINANCE NO. _____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA as follows:

SECTION 1. That Appendix C, Article VI, Section 10.14.2, Tables 8 & 14, and Table 10 of the Code of Ordinances be amended to read as follows:

Tables 8 & 14

Remove the 2-story minimum requirement in T4-O, T5 and T6, and add a minimum height requirement of 20 ft. at the peak of the roof or top of parapet.

(Tables 8 & 14 attached hereto and made a part hereof)

Table 10

Add automobile service by exception in T2, T5 and T6.

(Table 10 attached hereto and made a part hereof)

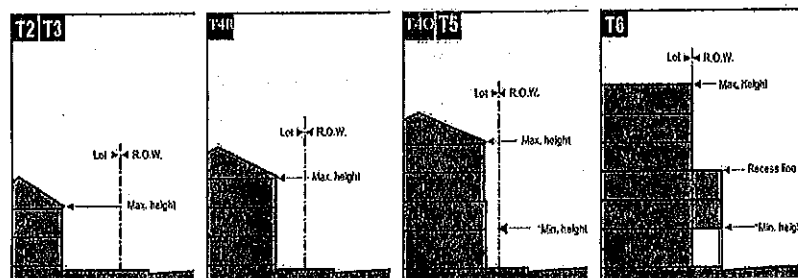
SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

SMARTCODE

TABLE 8 BUILDING CONFIGURATION

Montgomery, Alabama

TABLE 8: The vertical extent of a building is measured by number of stories, not including a raised basement or an inhabited attic. Numerical heights are measured from the average grade of the frontage line to the eave of a pitched roof or the surface of a flat roof.



*Minimum height requirement of 20 ft. at the peak of the roof or top of parapets

TABLE 10 BUILDING FUNCTION-SPECIFIC

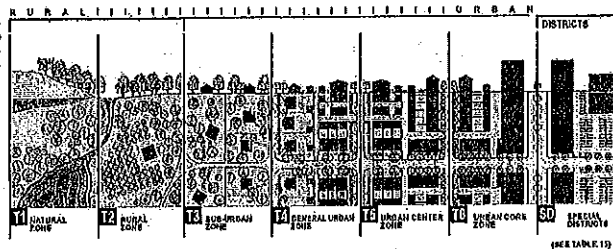
	T1	T2	T3	T4	T5	T6	SD	
a. RESIDENTIAL								
Apartment building				■	■	■		
Rearyard house				■	■	■		
Duplex house				■	■			
Sidyard house			■	■	■			
Edgoyard House		■	■	■				
Outbuilding		■		■	■			
Manufactured house			■				□	
Temporary tent	□	□	□	□	□	□	□	□
Live-work			■	■	■	■	□	
b. LODGING								
Hotel (no room limit)					■	■	□	
Inn (up to 12 rooms)		□		■	■	■		
Inn (up to 5 rooms)		□	■	■	■	■		
S.R.O. hostel			□	□	□	□	□	
School dormitory				■	■	■	■	
c. OFFICE								
Office building				■	■	■	■	
Live-work			■	■	■	■	□	
d. RETAIL								
Open-market building		■	■	■	■	■	■	
Retail building				■	■	■	□	
Restaurant				■	■	■	□	
Kiosk				■	■	■	□	
Push cart				■	■	■	□	
Adult entertainment						□	□	
e. CIVIC								
Bus shelter			■	■	■	■	■	
Convention center				■		□	■	
Conference center					□	■	■	
Fountain or Public art		■	■	■	■	■	■	
Library				■	■	■	■	
Movie Theater					■	■	■	
Museum					□	■	■	
Outdoor auditorium		□	■		■	■	■	
Parking structure					■	■	■	
Passenger terminal					□	□	□	
Playground		■	■	■	■	■	■	
Sports stadium				■		□	■	
Surface parking lot				□	□	□	■	
Religious assembly				■	■	■	■	

■ By Right
□ By Exception

TABLE 10 BUILDING FUNCTION-SPECIFIC (CONTINUED)

	T1	T2	T3	T4	T5	T6	SD
I. OTHER: AGRICULTURE							
Grain storage	■	■					■
Livestock pen	■	■	■				■
Greenhouse	■	■	■				■
Stable	■	■	■	■			■
Kernel	■	■	■	■	■	■	■
I. OTHER: AUTOMOTIVE							
Gasoline station		■			■	■	■
Automotive service		■			■	■	■
Truck maintenance					■	■	■
Drive-through facility					■	■	■
Rest stop	■	■					■
Roadside stand	■	■					■
Blowoff						■	■
Shopping center							■
Shopping mall							■
I. OTHER: CIVIL SUPPORT							
Fire station			■	■	■	■	■
Police station			■	■	■	■	■
Cemetery		■	■	■			■
Funeral home				■	■	■	■
Hospital					■	■	■
Medical clinic				■	■	■	■
I. OTHER: EDUCATION							
College					■	■	■
High school				■	■	■	■
Trade school					■	■	■
Elementary school			■	■	■	■	■
Childcare center		■	■	■	■	■	■
I. OTHER: INDUSTRIAL							
Heavy industrial facility							■
Light industrial facility						■	■
Truck depot						■	■
Laboratory facility						■	■
Water supply facility							■
Sewer and waste facility							■
Electric substation	■	■	■	■	■	■	■
Crematorium facility						■	■
Large storage						■	■
Mail storage							■

Note: All requirements in this Table are subject to confirmation for local content.



(SEE TABLE 12)

[illegible]

SECTION 2.2.4

MONTGOMERY, Alabama

TABLE 14. SUMMARY OF TRANSECT ZONES.

There being no further business to come before the Council, the meeting duly adjourned at 6:15 p.m.

BRENDA GALE BLALOCK, CITY CLERK

**CHARLES W. JINRIGHT, PRESIDENT
COUNCIL OF THE CITY OF MONTGOMERY**